

OFFICIAL INFORMATIONCONFIDENTIAL**EVIDENCE CODE SECTION 1040
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: November 19, 2020

TO: Honorable Board of Police Commissioners

FROM: Inspector General

SUBJECT: RECLASSIFICATION OF IN-CUSTODY DEATH INVESTIGATION 005-20
FOR 11/24/20 CLOSED-SESSION AGENDA

<u>Division</u>	<u>Date</u>	<u>Time</u>	<u>Duty-On (X) Off ()</u>	<u>Uniform-Yes (X) No ()</u>
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77 th Street	1/14/19	7:12 a.m.		
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<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
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Not applicable.

Total Involved Officer(s)

1 x Sgt. II
3 x PO II
2 x PDO
2 x SDO
7 x DO

<u>Suspect</u>	<u>Deceased (X)</u>	<u>Wounded ()</u>	<u>Non-Hit ()</u>
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Laila Safdari, Female White, 49 years old.

COP Recommendation

- Reclassify incident from In-Custody Death to Death Investigation.

IG Recommendation

- Same as COP.

Inspector General Analysis and Recommendation

The OIG has reviewed the evidence in this case as set forth in Force Investigation Division's (FID's) investigation file, the interviews of involved officers and witnesses, video evidence, and the Los Angeles County Coroner's Autopsy Report.¹

FID's investigation of this case established the following:

On Monday, January 13, 2020, at approximately, 0934 hours, Southeast Patrol Division uniformed Police Officers II Ryan Nichols, Serial No. 42081, and Philip Gray, Serial No. 42065, responded to a radio call for a Burglary suspect there now at 9219 South Central Avenue. Upon their arrival, officers met with Jose Lopez outside the building premises. Lopez identified himself as the maintenance worker and indicated that the Person Reporting (PR), Shirley Santiago, was the property manager. Santiago called the police but was not on scene.

Lopez further informed the officers that the property was vacant and that a female transient refused to leave the premises. The female transient who was later identified as arrestee Laila Safdari had been previously warned to leave the premises by Lopez. Lopez told officers that he wanted a second female transient located to the rear of the property removed and warned not to return.

While at the scene, Officer Gray spoke with Santiago via a telephone. Santiago indicated that she wanted Safdari placed on a private person arrest for trespassing, because she had been previously warned not to return. Santiago requested the second female be removed from the property and warned not to return. Santiago directed Lopez to sign the Private Person's Arrest (PPA) form for Safdari's arrest

Officers Gray and Nichols entered the property and located Safoari [*sic*]. According to Officer Gray, Safdari appeared to have been sleeping. Officer Gray stated Safdari was slow and sluggish when he ordered her to stand up and walk outside. Safdari complained of a preexisting medical condition and told Officer Gray she had ulcers. Officer Gray stated he offered Safdari an ambulance, but she did not indicate she needed one, which led him believe Safdari was medically okay. The officers escorted Safdari outside of the building. Once outside, Officers Gray and Nichols handcuffed Safdari without incident and arrested her for violation of California Penal Code section 602(0)(2) Trespass. The second female was identified as Shereta Murray. The officers escorted Murray off the property and warned her not to return.

¹ The FID investigation included civilian and sworn personnel interviews, as well as reviews of officers' Body Worn Videos (BWVs), Digital In-Car Video System (DICVS) videos, and 77th Street Regional Jail surveillance video.

Officers Nichols and Gray transported Safdari to Southeast Area station for processing. At the station, the officers requested that female Police Officer II Velvet Davis, Serial No. 43243, conduct a pat-down search of Safdari. There was no contraband or weapons recovered during the search. Safdari was logged into the Adult Detention Log and presented to Southeast Patrol Watch Commander, Sergeant II Shannon Hale, Serial No. 30704. Sergeant Hale interviewed Safdari and asked the three required intake questions from the Adult Detention Log. Sergeant Hale documented Safdari's responses on the Adult Detention Log. According to the log, Sergeant Hale interviewed Safdari on January 13, 2020, at 1055 hours. Safdari understood why she was arrested, indicated she had ulcers and did not have any questions or concerns. Additionally, Officer Gray completed the Arrestee Medical Screening Form and documented Safdari had a preexisting medical condition associated with ulcers. Once Officers Nichols and Gray completed the required paperwork, they logged Safdari out from the Adult Detention Log at 1150 hours and transported her to 77th RJS for booking.

Note: Force Investigation Division detectives reviewed Officers Nichols' and Gray's BWV and DICVS. The video recordings were consistent with the officers' accounts of the incident.

Per 77th Street RJS surveillance video, Officers Nichols and Grey arrived at 77th Street RJS at 1200 hours. Safdari entered the jail and did not require assistance walking. The officers provided the booking paperwork to a detention officer and advised her that Safdari needed to be seen by the dispensary medical staff for ulcers. At 1205 hours, Senior Detention Officer Marissa Lopez, Serial No. N1655, cleared Safdari for rapid booking process. Safdari was screened at the Dispensary by the on-duty Registered Nurse (RN), Ashley Pintarelli.

According to Pintarelli, she examined Safdari and conducted her medical assessment. Pintarelli indicated that Safdari disclosed to her that she had a history of stomach ulcers but was not taking prescription medication. Safdari added she self-treated her ulcers with warm water and baking soda. Pintarelli stated Safdari did not appear to be in pain or medical distress, her vital signs were stable, and she medically cleared her for booking.

Note: Officers Nichols and Grey documented Safdari's arrest on Los Angeles Police Department Arrest Report, Divisional Report No. 2018-04638, and booking No. 5846395.

After being cleared for booking, Safdari was provided with a shower and placed in Holding Tank No. 17. At approximately 1315 hours, Detention Officer Ngabon Sekiyoba, Serial No. N6202, removed Safdari from the holding tank to complete the Live Scan fingerprint. According to Sekiyoba, as he began to Live Scan Safdari, she complained of abdominal pain and sat on the floor. Detention Officer Sekiyoba requested a female detention officer to respond for assistance. Detention Officer Mayra

Ferman, Serial No. N5155, responded, with a wheelchair and assisted Safdari off the floor onto the wheelchair

Registered Nurse Pintarelli walked through the female section booking and fingerprint area and observed Safdari sitting in a wheelchair complaining of stomach pain. Safdari advised Pintarelli that she was having stomach cramps. Pintarelli returned to the dispensary and advised Nurse Practitioner Frank Torres of Safdari's condition. According to Torres, he and Pintarelli walked to the female booking area, where he conducted a medical assessment of Safdari. According to Torres, Safdari denied having nausea, vomiting, throwing up blood, or bloody stools, which are symptoms of ulcers. Torres ordered Safdari to be placed on Zantac medication twice a day and also ordered Pintarelli to give her two Tums tablets to reduce the acid in her stomach. Per Torres, Zantac is an antacid medication that helps reduce acid in the stomach. Pintarelli administered Safdari with the dose of Zantac and observed her ingest the pill. Pintarelli also administered Safdari two Tums tablets, but Safdari spat out the Tums tablets. Pintarelli advised Safdari to let any detention officers know if she did not feel better.

According to Detention Officer Sekiyoba, after Safdari ingested the medication, she was returned to Holding Tank No. 17 to rest and for the medicine to take effect.

Note: Force Investigation Division detectives reviewed the RJS surveillance video. The video recordings were consistent with Detention Officers Sekiyoba, Ferman, as well as RN Pintarelli and Nurse Practitioner Torres' account of the incident.

Per Detention Officer Nancy Voge, Serial No. N4977, while Safdari was in Holding Tank No. 17, she placed four female arrestees in the same tank on separate occasions and observed Safdari lying on the floor. Voge asked Safdari if she was okay, and Safdari responded she was okay, but sleepy. Detention Officer Voge stated there were no signs of distress and added it was not unusual for arrestees to lay on the floor to sleep because the floor feels warmer than the benches, which are made of metal.

According to the 77th Street RJS Booking Area Custody Services Observation Record, safety checks of Holding Tank No. 17, as required by the California Code of Regulations, Title 15, section 1027, were conducted. The safety checks, which require two checks every hour, were documented starting on January 13, 2020, at 1201 hours, through 1726 hours.

At 1745 hours, Principal Detention Officer Deborah Humphrey, Serial No. V8234, removed Safdari from Holding Tank No. 17 and provided her with a wheelchair. Detention Officer Humphrey stated she wanted to ensure Safdari was processed and fingerprinted before the watch shift ended at 1830 hours. Detention Officers Sekiyoba and Humphrey completed the Live Scan fingerprint and booking photograph of Safdari.

Once the fingerprinting and photograph were completed, Detention Officer Christian Martinez, Serial No. N6186, utilized the wheelchair and transported Safdari to the female section Cell Block B-1 on the second floor for housing. Safdari remained in Cell Block B-1 until the following morning.

Note: Force Investigation Division detectives reviewed the 77th Street RJS surveillance video. The video recordings were consistent with Detention Officers Sekiyoba, Voge, Humphrey, and Martinez' account of their interaction with Safdari.

At 1830 hours, Detention Officers Rosalind Bowie, Serial No. N5057, and Emmer Burrus, Serial No. N 1945, were assigned to female security to monitor female arrestees in Cell Block B-1. According to Detention Officer Burrus, at approximately 1900 hours, their supervisor, Principal Detention Officer Edin Lucero-Chang, Serial No. G9220, and Detention Officer Bowie, conducted the first safety check of the shift in Cell Block B-1. Detention Officers Bowie and Burrus indicated they conducted safety checks throughout their shift as required by the California Code of Regulations, Title 15, section I 027. Detention Officers Bowie and Burrus added Safdari appeared okay, and there were no signs of distress.

Note: Per the 77th Street RJS Female Security Custody Services Observation Record, Detention Officers Bowie and Burrus conducted safety checks of Cell Block B-1, beginning on Monday, January 13, 2020, at 1853 hours. Bowie and Burrus conducted safety checks twice an hour throughout their 12-hour shift with the last safety check on Tuesday, January 14, 2020, 0627 hours.

According to the 77th Street RJS surveillance video, on Tuesday, January 14, 2020, at 0022 hours, RN Paul Yambao entered Cell Block B-1 and stood near the door. Yambao spoke with Safdari, who was in the lower bunk, just a few feet from the door. According to Yambao, Safdari was due for her second dose of Zantac. Yambao indicated Safdari appeared to be asleep, and he did not observe any signs of distress. Yambao awakened Safdari and advised her it was time for her to take medicine, but she declined to take it. Yambao added medical staff could not force inmates to take medication. At 0340 hours, Safdari was served breakfast and a carton of orange juice. Safdari drank from her orange juice and placed it at the edge of her bunk.

At 0600 hours, Detention Officer Bowie opened the door to Cell Block B-1 and spoke with Safdari. Safdari lay in the bunk, turned her head, and faced Bowie. According to Detention Officer Bowie, she woke Safdari up, and asked her to get up and get ready because she was going to be transported to court. Detention Officer Bowie stated Safdari refused to get up for court and asked for pain medication. Detention Officer Bowie called the dispensary and advised RN Griselda Leui that Safdari was requesting pain medication.

According to RN Leui, she reviewed Safdari's medical chart and noticed that Safdari refused the dose of Zantac medication, which was due at midnight. Leui responded to Cell Block B-1 and spoke with Safdari. Leui asked Safdari if she was in pain. Safdari replied that her head hurt, but she did not need medication. Safdari also advised Leui that she vomited. Leui stated she observed orange juice on the floor and believed Safdari had vomited. Leui stated she instructed the detention officers to take Safdari to the dispensary, so she could give Safdari an injection for the vomiting.

Note: Per the 77th Street RJS surveillance video, at 0517 hours, Safdari lay in the bunk with an orange juice carton at the edge of the bunk. Safdari knocked over the orange juice carton with her foot and spilled the juice on the floor. The video recordings did not capture Safdari vomiting.

According to Senior Detention Officer Catalina Alvarado, Serial No. N1646, she was informed that Safdari refused to get up for court transportation. Alvarado walked to Cell Block B-1 to see if she could convince Safdari to get up for court. Alvarado indicated Safdari advised her she did not feel well and did not want to go to court. Alvarado advised Safdari she was taking her to the dispensary to see the doctor and directed Detention Officer Dmetric Bradley, Serial No. N3548, to get a wheelchair to take Safdari to the dispensary. Alvarado assisted Safdari onto the wheelchair. Detention Officers Badley and Alvarado transported Safdari to the dispensary. Alvarado stated as they rode the elevator down to the dispensary, she noticed that Safdari was having difficulty breathing.

Note: Force Investigation Division detectives reviewed the 77th Street RJS surveillance video. The video recordings were consistent with Detention Officers Bowie, Buruss, Alvarado, and Bradley's as well as Register Nurses Yambao and Leui's account of the incident.

OIG Note No. 1: *The dispensary area is not equipped with a video recording system.*

According to RN Leui, when Safdari arrived at the dispensary, she was seated in the wheelchair, moaning. Leui asked Safdari where her pain was, but Safdari did not respond and just moaned. Leui attempted to get Safdari's *[sic]* vital signs and called for Nurse Yambao and the doctor to assist her.

According to Doctor Wendy Leskiw, when Safdari arrived at the dispensary, she was conscious and breathing, but was not responsive. Safdari had a pulse, but her blood pressure was low, she was cold, and her skin was pale. Doctor Leskiw directed Detention Officer Alvarado to call 911 and request an ambulance. Doctor Leskiw stated they were unable to get Safdari's blood pressure or oxygen reading, and Safdari stopped breathing within a minute. Safdari was moved from the wheelchair and placed

on the floor. The dispensary staff and detention officers attempted to resuscitate Safdari utilizing Cardiopulmonary Resuscitation (CPR) and a portable defibrillator.

Los Angeles Fire Department (LAFD) Rescue Ambulance (RA) No. 33, staffed by Firefighter Paramedics Matthew Navarro and Beau Porter arrived and continued life-saving efforts to revive Safdari. Firefighter Paramedic Beau called California Hospital Medical Center to confirm that all life-saving measures were exhausted. Safdari was declared dead by Firefighter Paramedic Beau at 0712 hours.

At approximately 0800 hours, FID personnel were notified of the in-custody death and responded to 77th Street RJS and initiated an In-Custody Death investigation. Detective Brown, the designated crime scene manager, notified the Los Angeles County Department of Medical Examiner-Coroner of the death. At approximately 1300 hours, Coroner Investigator Ryan Benavidez-Parras responded to the scene, conducted his investigation, and removed Safdari's remains.

The officers, detention officers, and witnesses interviewed for this investigation indicated that Safdari was cooperative, compliant, and no force was used during her arrest or detention at 77th RJS.

On Friday, January 17, 2020, the Los Angeles County Department of Medical Examiner-Coroner Deputy Medical Examiner Doctor Scott Luzi performed the post-mortem examination of Safdari's remains. During the autopsy, Doctor Luzi noted Safdari had a perforated ulcer of the stomach with blood in her small intestine and free fluid in her abdomen. No other evidence of trauma or foul play was found during the autopsy.

Doctor Luzi determined Safdari died of peritonitis due to a perforated peptic ulcer (Septic Poisoning). Other contributing factors were hypertensive and atherosclerotic cardiovascular disease. Doctor Luzi ascribed the manner of death was natural

Per Department policy outlined in Special Order No. 18, dated August 6, 2020², the Chief recommended this in-custody death investigation be reclassified to a death investigation for the following reasons:³

- The Los Angeles County Department of Coroner determined that Safdari died of natural causes;
- The investigation determined that there was no use of force or evidence of foul play;

² Approved by the Board of Police Commissioners on July 14, 2020.

³ COP report dated October 7, 2020, signed October 13, 2020.

- The investigation revealed there was no misconduct which would rise to the level of negligence or risk/management issues associated with the incident to include: commission of a criminal offense, neglect of duty, violation of Department policies, rules, or procedures, conduct which may tend to reflect unfavorably upon the employee or the Department;
- The investigation revealed that there were no violations of Department policy and/or procedures which directly led to Safdari's death;
- The toxicology report supports the Coroner's determination;⁴ and
- The investigation revealed no problematic evidence or seriously conflicting witness statements regarding the incident.

Based on its review of this case, the OIG has determined that the incident meets the criteria established by Department policy for reclassification from an In-Custody Death Investigation to a Death Investigation. Accordingly, the OIG recommends that the Police Commission adopt the Chief's recommendation that this case be reclassified to a Death Investigation.



Mark P. Smith
Inspector General

⁴ The toxicology report showed marijuana and methamphetamine in Safdari's system.